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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: James S. Hacsí

EXAMINER: Ha, Nguyen T.

SERIAL NO.: 10/822,876

GROUP: 2831

FILED: 13 April, 2004

ENTITLED: Method And Apparatus For Storing Electric Energy

James S. Hacsí

13 Dartmouth Ave.

Pueblo, CO 81005

4 September, 2006

INVENTION ELECTION STATEMENT AND PRELIMINARY AMENDMENT

Honorable Commissioner of

Patents and Trademarks

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action dated August 25, 2006 the applicant hereby responds:

On Page 1 is an Invention Election Statement required by the Examiner and in response to a restriction and/or election requirement.

On Pages 2, 3, 4, and 5 is a Preliminary Amendment to the specification and claims, and Applicant respectfully requests the case be amended to place it in better condition for allowance.

On Pages 6 and 7 are remarks by Applicant explaining the chosen courses of action, a conclusion statement, and a conditional request for assistance.

Statement of Invention Election

Examiner Ha has determined restriction to one of the following inventions is required under 35 USC 121:

- I. Claims 1-2, drawn to a method for storing electric energy, classified in class 320, subclass 128.
- II. Claims 3-15, drawn to an apparatus for storing electric energy, classified in class 361, subclass 502.

Applicant agrees with Examiner Ha that the inventions are distinct, each from the other because of the reasons given. Applicant further understands that because the inventions are independent or distinct for the reasons given, they have acquired a separate status in the art in view of their different classification, and that restriction for examination purposes as indicated is proper.

Applicant was advised that the reply to the requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed and (ii) identification of the claims encompassing the elected invention.

Therefore, be advised that Applicant elects Invention I, as described above, for examination and without traverse. Claims 1-2, drawn to a method for storing electric energy, classified in class 320, subclass 128 encompass the elected invention. Claims 3-15, drawn to an apparatus for storing electric energy, classified in class 361, subclass 502 describe the non-elected invention and will be withdrawn.